

**COUNCILMEMBER SHERRY DORSEY AS SUBSTITUTED BY PUBLIC  
SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF  
THE CITY OF ATLANTA TO CREATE A NEW SECTION TO  
REQUIRE THAT ALL FOR PROFIT AND NON-PROFIT  
ORGANIZATIONS THAT APPLY FOR AND RECEIVE FUNDING  
FROM THE CITY OF ATLANTA FOR ACTIVITIES INVOLVING  
DIRECT CONTACT WITH CHILDREN UNDER THE AGE OF  
SIXTEEN PERFORM CRIMINAL BACKGROUND CHECKS OF  
ALL EMPLOYEES AND VOLUNTEERS INVOLVED IN SUCH  
FUNDED ACTIVITIES TO ASSURE THAT THOSE PERSONS  
CONVICTED OF CRIMES INVOLVING CRUELTY TO,  
EXPLOITATION OF, ENTICEMENT OF, OR MOLESTATION OF  
CHILDREN ARE NOT PARTICIPANTS IN SUCH PROGRAMS;  
TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER  
PURPOSES.**

**WHEREAS**, the City of Atlanta is continually concerned about the safety and well-being of our children; and

**WHEREAS**, the City of Atlanta encourages the participation of those interested in enhancing and improving the lives of children; and

**WHEREAS**, the City of Atlanta does not want to encourage or associate with organizations that may inadvertently enlist the participation of those who have been guilty of committing crimes such as rape, molestation, or abuse of any kind against children under the age of sixteen; and

**WHEREAS**, the City of Atlanta is responsible for the health, safety, and welfare of all its citizens, particularly the most vulnerable – the children.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF ATLANTA, GEORGIA as follows:**

**SECTION 1.**

To amend the Code of Ordinances of the City of Atlanta, to create a new section which shall contain the following language:

All organizations, for profit and non-profit, that apply for and receive funding from the City of Atlanta for activities involving direct contact with children under the age of sixteen, shall be required to perform criminal background checks on all employees and

volunteers involved in such funded activities to assure that those convicted of crimes involving either cruelty to, exploitation of, enticement of, or molestation of children are not participants in such programs.

For purposes of this ordinance, the term direct contact shall include, but not be limited to: (1) all situations in which an employee or volunteer has supervisory or disciplinary power over a child or children, and (2) all situations in which an employee or volunteer performs their duties and responsibilities in the immediate vicinity of and/or has the opportunity to interact with a child or children while at a site designated to facilitate the organization's funded activities.

Upon an organization's approval for funding by the City of Atlanta, each organization shall submit to the City of Atlanta a list certifying the names of those employees and volunteers who have successfully undergone a criminal background check and who have been approved by the organization to participate in those activities funded by the City of Atlanta which involve direct contact with children under the age of sixteen.

Each organization shall have thirty (30) days from the date it is notified of its approval for city funding to provide all required documentation to the City of Atlanta certifying its fulfillment of the criminal background check requirements. Failure to comply with this requirement shall render such organization ineligible for city funding until the next calendar year.

Thereafter, each organization shall have a continuing duty to prohibit any employee or volunteer that has not successfully undergone a criminal background check from participating in any activity funded by the City of Atlanta which involves direct contact with children under the age of sixteen.

Each organization shall provide an amended list to the City of Atlanta within thirty (30) days of hiring any new employee or volunteer certifying that such individual has undergone a criminal background check and has been approved by the organization to participate in those activities funded by the City of Atlanta which involve direct contact with children under the age of sixteen.

Each organization shall maintain such criminal background check records and employee/volunteer activity lists for a minimum of five years after an employee or volunteer's service with such organization terminates, whether voluntarily or involuntarily. Upon request all such records shall be made available for review by the City of Atlanta.

## **SECTION 2.**

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.